IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 5TH NOVEMBER 2007 / 14TH KARTHIKA 1929

WP(C).No. 32713 of 2007(T)

PETITIONER:

S.P.ASSAINARKUTTY, AGED 26,
S/O.KARAYIL MOIDEENKUTTY
VATTIYERA, VELLORA AMSOM DESOM,
KAKKARA P.O., TALIPARAMBU TALUK,
KANNUR DISTRICT.

BY ADV. SRI.P.R.SREEJITH

RESPONDENTS:

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1. THE SECRETARY,
ALAKKODE PANCHAYAT (SPECIAL GRADE)
ALAKKODE P.O., KANNUR DISTRICT.

2. KATEERAKATH ALI,S/O.KARAYIL MOIDEENKUTTY
AGED 62 YEARS, BUSINESS, RESIDING AT KARIMBAM,
TALIPARAMBA AMSOM DESOM, P.O. KARIMBAM,
TALIPARAMBA TALUK.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/11/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 32713 OF 2007

Dated this the 5th day of November, 2007

JUDGMENT

I do not propose to go into the merits of the matter. But one of the grievances of the petitioner is that Exts.P1 & P2 objections preferred by him against the provisional numbering of the building constructed by the 2nd respondent which according to him is the subject matter of an on going partition suit between him and the 2nd respondent(OS No.65 of 2000) before the Sub Court, Payyannur) have not been considered or disposed of. If Exts.P1 & P2 are even now pending before the 1st respondent, the 1st respondent will take up Exts.P1 & P2, hear the petitioner as well as the 2nd respondent and take a decision. Decision as directed above will be taken by the 1st respondent at his earliest and at any rate within one month of receiving copy of this judgment. It will also be observed that any decision to be taken by the Panchayat on the issue of numbering of the buildings will be subject to the outcome of OS No.65 of 2000 pending before the Sub Court, Payyannur which is a regular suit for partition between the petitioner and the 2nd respondent.

PIUS C. KURIAKOSE, JUDGE

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